

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

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**ROBERT ALLEN BAUTISTA®,**  
**Plaintiff,**

v.

Civil Action No. 3:24-cv-02593-D

**PRICEWATERHOUSECOOPERS LLP,**  
**Defendant.**

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**AMENDED COMPLAINT**

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**Plaintiff, Robert Allen Bautista** ("Plaintiff"), by and through his undersigned counsel, hereby submits this **Amended Complaint** against **PricewaterhouseCoopers LLP** ("Defendant"), asserting claims for serious violations of federal and state law based on Defendant's fraudulent conduct, wrongful tax withholdings, misclassification of Plaintiff's nationality, illegal salary withholding, failure to discharge obligations, bad faith, civil rights infringements, forced labor, and violations of negotiable instrument law. Defendant's actions are calculated to shield it from liability, avoid scrutiny, and evade examination by a Court of law. Plaintiff seeks justice and compensation for the harm caused by Defendant's unlawful actions.

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**I. JURISDICTION AND VENUE**

1. **Jurisdiction:** This Court has jurisdiction over the subject matter of this Complaint pursuant to **28 U.S.C. § 1331**, as Plaintiff's claims arise under federal law, including violations of the **Immigration and Nationality Act, Social Security Act, tax fraud under 18 U.S.C. § 911, identity theft under 18 U.S.C. § 1028**, and **Uniform Commercial Code** violations (UCC 3-603, 1-308). This Court also has jurisdiction under **28 U.S.C. § 1367** for supplemental jurisdiction over state law claims.
  2. **Venue:** Venue is proper in this District and Division pursuant to **28 U.S.C. § 1391** because Defendant conducts business in this district, the unlawful acts occurred within this district, and Plaintiff resides within the jurisdiction of this Court.
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**II. PARTIES**

1. **Plaintiff, ROBERT ALLEN BAUTISTA®**, is an individual who resides in the State of Texas. Plaintiff is a **non-citizen national** of the United States as defined by **8 U.S.C. § 1101(a)(22)**. As a non-citizen national, Plaintiff is entitled to the same rights and protections as U.S. citizens, including the right to work and earn wages in the United States. Throughout his employment with

Defendant, Plaintiff has faced numerous unlawful and discriminatory practices as outlined in this Complaint.

2. **Defendant, PricewaterhouseCoopers LLP (“PWC”)**, is a multinational professional services firm headquartered in the United States and conducting business in this district. Defendant was responsible for Plaintiff's unlawful treatment and the violations alleged herein during the course of Plaintiff's employment. Defendant's actions were performed within the scope of its business and in furtherance of its corporate interests.

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### III. FACTUAL ALLEGATIONS

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#### Violation 1: Misclassification of Plaintiff's Nationality

1. **Plaintiff's Legal Status:**  
Plaintiff is a **non-citizen national** of the United States, as defined under **8 U.S.C. § 1101(a)(22)**. As a non-citizen national, Plaintiff is entitled to the same rights and protections as U.S. citizens, including the right to work and earn wages in the United States, but is not considered a U.S. citizen for certain purposes. Plaintiff made his nationality clear to Defendant multiple times, yet Defendant misclassified him as a **U.S. citizen**.
2. **Defendant's Misclassification:**  
Despite Plaintiff's clear communication of his non-citizen national status, Defendant continued to misclassify Plaintiff as a U.S. citizen for tax purposes, thereby subjecting him to higher tax withholdings. Defendant's failure to properly classify Plaintiff's nationality constitutes a **violation of Plaintiff's civil rights**, including **Title VII of the Civil Rights Act of 1964** and **42 U.S.C. § 1981**, which prohibit discrimination based on national origin.
3. **Financial Harm Due to Misclassification:**  
Defendant's misclassification led to Plaintiff being taxed at the **U.S. citizen** rate, significantly higher than what Plaintiff should have been taxed under the correct classification. This caused immediate financial harm, including excess tax withholdings that Plaintiff will be unable to recover without intervention from the Court.

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#### Violation 2: Fraudulent Tax Withholdings

1. **Improper Tax Withholdings:**  
Defendant, as Plaintiff's employer, was required under **26 U.S.C. § 3401** to properly classify Plaintiff's nationality and withhold taxes accordingly. By misclassifying Plaintiff as a U.S. citizen, Defendant wrongfully withheld taxes from Plaintiff's wages at the higher U.S. citizen rate. This act of fraudulent tax withholding violates federal tax laws, and is a direct violation of **18 U.S.C. § 911** (false claims of citizenship) and **18 U.S.C. § 1028** (identity theft).
2. **Violation of Taxpayer Rights:**  
Defendant's actions have resulted in unjust financial loss for Plaintiff, and Plaintiff has been forced to pay more in taxes than legally required, thereby depriving him of his rights as a non-

citizen national. This constitutes not only fraud but also a gross violation of Plaintiff's taxpayer rights.

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### **Violation 3: Use of Incorrect Social Security Number (SSN) and Identity Theft**

1. **Fraudulent Use of SSN:**

Defendant used an incorrect Social Security Number (SSN) associated with another individual in its employment records for Plaintiff. Plaintiff repeatedly brought this matter to Defendant's attention, but Defendant failed to rectify the error. Defendant's use of an incorrect SSN constitutes **identity theft** under **18 U.S.C. § 1028**, and it is a direct violation of **42 U.S.C. § 408** (Social Security fraud).

2. **Financial and Emotional Harm:**

The use of the incorrect SSN has caused Plaintiff significant emotional distress, the risk of identity theft, and complications in Plaintiff's credit and financial matters. As a result, Plaintiff has incurred costs to repair his credit history and prevent further misuse of his identity, in addition to the mental anguish caused by this egregious error.

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### **Violation 4: Forced Labor and Peonage**

1. **Forced Labor and Exploitation:**

Defendant's conduct also constitutes **forced labor** and **peonage** under **18 U.S.C. § 1581** and **18 U.S.C. § 1595**. Defendant subjected Plaintiff to exploitative labor practices by misleading him about the terms and conditions of his employment, and requiring him to work under fraudulent pretenses. Specifically, Defendant withheld full compensation and misled Plaintiff regarding his legal status, creating an unequal power dynamic that coerced him into accepting conditions that he would not have otherwise accepted.

2. **Violation of Worker Rights:**

Defendant's actions directly violated Plaintiff's fundamental rights under the **Fair Labor Standards Act (FLSA)** and **Title VII**, as Defendant created a hostile and coercive work environment that deprived Plaintiff of a fair and lawful wage, while also exploiting Plaintiff's non-citizen national status to avoid compliance with labor protections.

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### **Violation 5: Bad Faith Conduct and Obstruction of Justice**

1. **Bad Faith Tactics:**

Defendant's actions throughout the course of litigation have been in **bad faith**, including its improper Motion to Close the Case. On **November 14, 2024**, Defendant's attorney, **Kristin Snyder Higgins**, informed Plaintiff that Defendant would file a Motion to Compel Arbitration. Plaintiff consented to arbitration, but clarified that this was not an agreement to close the case in the event that arbitration was unsuccessful. On **November 22, 2024**, Plaintiff filed a Motion to Reopen the Case due to newly discovered fraudulent actions by Defendant, specifically related to tax withholding violations and misclassification of Plaintiff's nationality.

2. **Obstruction of Justice:**

Defendant's Motion to Close the Case, filed without Plaintiff's agreement to do so, represents an unlawful attempt to shield itself from judicial oversight. By prematurely requesting the case to be closed, Defendant seeks to avoid scrutiny for its fraudulent actions, an effort that is directly contrary to the interests of justice.

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**Violation 6: Illicit Withholding of Salary and Unlawful Bill for Bonus Recovery**

1. **Illicit Withholding of Salary:**

Defendant has now attempted to withhold Plaintiff's salary compensation unlawfully, without formal termination of Plaintiff's employment. This withholding has occurred without legal grounds or any formal notification of employment cessation, constituting a violation of the **Fair Labor Standards Act (FLSA)** and Plaintiff's contractual rights.

2. **Unlawful Recovery of Bonus:**

Defendant issued a bill demanding the recovery of a bonus payment previously made to Plaintiff. This is an improper attempt to reclaim money owed to Plaintiff. Defendant has no legitimate claim to reclaim the bonus, as Plaintiff has met all required contractual and performance obligations.

3. **Lawful Remittance of Bill of Exchange:**

In response to this wrongful demand, Plaintiff lawfully remitted a **Bill of Exchange** with a **qualified special indorsement**. This was done in full compliance with **UCC 3-603** and **UCC 1-308**, lawfully performing on the obligation to discharge the debt. However, Defendant failed to either properly discharge the obligation or dishonor the negotiable instrument as required by law. This failure to properly handle the instrument constitutes a further violation of Plaintiff's rights under the **Uniform Commercial Code**.

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**IV. CLAIMS FOR RELIEF**

1. **Count I: Violation of Civil Rights (National Origin Discrimination)**

Defendant's misclassification of Plaintiff's nationality and unlawful withholding of taxes based on that misclassification constitutes national origin discrimination under **Title VII of the Civil Rights Act of 1964** and **42 U.S.C. § 1981**.

2. **Count II: Fraud and Misrepresentation (Tax Fraud and Citizenship Fraud)**

Defendant's fraudulent tax withholdings, false claims regarding Plaintiff's nationality, and use of an incorrect SSN constitute fraud under **18 U.S.C. § 911** (false claims of citizenship) and **18 U.S.C. § 1028** (identity theft).

3. **Count III: Forced Labor and Peonage Violations**

Defendant engaged in forced labor practices by coercing Plaintiff into working under false pretenses in violation of **18 U.S.C. § 1581** (peonage) and **18 U.S.C. § 1595** (forced labor).

4. **Count IV: Breach of Employment Contract**

Defendant's failure to accurately classify Plaintiff's nationality and misapplication of taxes constitutes a breach of the implied terms of Plaintiff's employment contract.

5. **Count V: Fraudulent Use of Social Security Number**

Defendant's use of an incorrect SSN constitutes identity theft and violates **42 U.S.C. § 408** and **18 U.S.C. § 1028**.

6. **Count VI: Bad Faith and Obstruction of Justice**

Defendant's motion to prematurely close the case, filed in bad faith, obstructs Plaintiff's right to seek justice and accountability for Defendant's unlawful actions.

7. **Count VII: Illicit Withholding of Salary and Violation of UCC Obligations**

Defendant's wrongful withholding of Plaintiff's salary without formal termination and failure to honor the Bill of Exchange submitted by Plaintiff in compliance with **UCC 3-603** and **UCC 1-308** constitutes a violation of commercial laws and Plaintiff's contractual rights.

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**V. REQUEST FOR RELIEF**

WHEREFORE, Plaintiff respectfully requests that this Court:

1. **Deny Defendant's motion to close the case** and allow Plaintiff's claims to be fully adjudicated;
2. **Order Defendant to correct Plaintiff's employment records** to reflect Plaintiff's true nationality and Social Security Number;
3. **Award Plaintiff compensatory and punitive damages** for the harm caused by Defendant's unlawful conduct, including tax fraud, identity theft, forced labor practices, civil rights violations, and salary withholding;
4. **Award attorney's fees and costs** associated with bringing this action;
5. **Grant injunctive relief** to prevent Defendant from continuing its unlawful conduct;
6. **Grant any other relief** the Court deems just and appropriate.

Respectfully submitted,

WITHOUT RECOURSE  
WITHOUT PREJUDICE  
ROBERT ALLEN BAUTISTA®  
BY:/s/ Bautista, Robert-Allen / Agent

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Robert Allen Bautista / Attorney – In – Fact